

**GOVERNMENT OF TELANGANA**  
**ABSTRACT**

Tribal Welfare Department – Telangana State – Kumuram Bheem Asifabad District – Issue of Local Schedule Tribe Agency Area Certificates under GO Ms.No.24, dt.12.6.2018 of TW (LTR.1) Department – The claim for issue of Local Scheduled Tribe Certificate cannot be considered as genuine “Local Scheduled Tribe” and rejected by the District Collector, Kumuram Bheem Asifabad vide Procgs.No.C2/642/2019 & e-Office Rc.No.C2/335/0002/2021, dt.01.03.2021 - Appeal filed by Chawan Dinesh S/o Seetaram R/o Piklathanda GP (Mamidipalli), Lingapur Mandal of Kumuram Bheem Asifabad District– Appeal allowed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No. 58**

**Dated: 30-07-2021**  
**Read the following:-**

1. GO Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Order received from Asst. Registrar of High Court for the State of Telangana in W.P.No.1418 of 2020, dt: 31.12.2020.
3. Govt.Memo. No. 218/TW.LTR/2021, Dated:17.02.2021
4. Procgs.No.C2/642/2019 & e-Office Rc.No.C2/335/0002/2021, dt.01.03.2021 of the District Collector, Kumuram Bheem Asifabad District
5. Appeal petition filed by Chawan Dinesh S/o Seetaram R/o Piklathanda GP (Mamidipalli), Lingapur Mandal of Kumuram Bheem Asifabad District, dated 18.03.2021 through the Endt.No. 1654/M/(STW, W&CW), dated 26.03.2021.
6. Govt.Memo.No.218/TW.LTR/2021, Dt.09.04.2021.
7. Govt. Notice No.218/TW.LTR/2020, dt:09.04.2021.
8. Letter Rc.No.C2/642/2019 & e-Office Rc.No.C2/335/0002/2021 received from the District Collector, Kumuram Bheem Asifabad dt:22.04.2021.
9. Govt. Notice No.218/TW.LTR/2020, dt:23.06.2021.

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**ORDER:**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the District Collector, Kumuram Bheem Asifabad District in the reference 4<sup>th</sup> cited, has issued orders rejecting claim of the Appellant Sri Chawan Dinesh S/o Seetharam R/o Piklathanda (Mamidipalli) village of Lingapur Mandal of Kumuram Bheem Asifabad District for issue of Local Scheduled Tribe Certificate treating him as not genuine Local ST under the provisions of G.O.Ms.No.24, TW (LTR.1) Dept. dt.12.06.2018, for the following reasons:

- He has been provisionally selected for the post of Forest Beat Officer earmarked for the Agency Area Local ST of Adilabad district.

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- List of selected candidates has been forwarded to the Tahsildars of the District for offering their remarks.
- Tahsildar, Lingapur, Kumuram Bheem Asifabad District has submitted report to the District Collector, Kumuram Bheem Asifabad that Sri Chawan Dinesh is ineligible for issue of Agency Area Local ST Certificate and accordingly he rejected the claim for issue of Local ST certificate for the following reasons:
  - No residence proofs (or) records exist in the name of Bhimla S/o Dhamu shown in the hierarchy from 1950 who is his forefather.
  - Land holding proofs submitted are not tallied with the hierarchy.
  - Continuous residence proofs of parents not submitted.
- The appellant filed application on 5.8.2019 before the District Collector, Kumuram Bheem Asifabad for issue of Local ST certificate.
- District Collector, Kumuram Bheem Asifabad referred to the Scrutiny Committee headed by the PO ITDA Utnoor to enquire as per procedure laid down in GO Ms.No.24, TW (LTR.1) Dept. dt.12.6.2018.
- Project Officer, ITDA, Utnoor had taken up inquiry and rejected claim for the following reasons:
  1. Land holding details are not tallied with family tree.
  2. Not proved father's or grandfather's or great grandfather residence proof from the year 26.01.1950 to till date in Agency villages.
- 3. Applicant approached Hon'ble High Court and filed WP 1418 of 2020. The Hon'ble High Court in its order dt.31.12.2020 in the reference 2<sup>nd</sup> cited disposed the WP with the following direction:

"This Writ Petition can be disposed of directing the petitioner to submit a representation to the District Collector, Kumram Bheem Asifabad within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation the District Collector, Kumuram Bheem Asifabad shall consider the said representation and if the Agency Local ST Certificate produced by the petitioner is found to be genuine, the District Collector should forward the same to the appointing authority to give appointment to the petitioner as Forest Beat Officer within a period of eight weeks thereafter".
- 4. In the reference 3<sup>st</sup> read above, Government has sent the copy of order of the Hon'ble High Court in WP 1418 of 2020, dt.31.12.2020 to the Additional Director O/o. Commissioner of Tribal Welfare, Telangana State, Hyderabad, the Director, TCR&TI, DSS Bhavan, Masab Tank, Hyderabad, the

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District Collector, Kumuram Bheem Asifabad District, the PO, ITDA, Utnoor, Adilabad District and the Tahasildar Sirpur-U Mandal, Kumuram Bheem Asifabad District and requested to take necessary action as per orders of High Court for the State of Telangana in W.P.No.1418 of 2020, dt:31.12.2020.

5. As per directions of the Hon'ble High Court, Notice was issued to Writ Petitioner Chawan Dinesh to attend before the Dist. Collector, Kumuram Bheem Asifabad on 05.02.2021 to prove his claim as Local ST with relevant material/documents. Accordingly, he attended before the Dist. Collector, KB Asifabad on 5.2.2021 and produced following documents in support of his claim.

1. Copy of 1357 Fasli.
  2. Copy of Family Tree.
  3. Copy of Certificate issued by Tahsildar Sirpur-U Rc.No.C/306/2016, dt.05.07.2016.
  4. Copy of Community Certificate issued by the Tahsildar, Lingapur CND021708909755, dt.11.07.2017.
  5. Copy of Migration Certificate issued by the Tahsildar, Utnoor Rc.No.C/70/2019, dt.23.01.2019.
  6. Copy of Teen Saal pahani for the year 1955-56, 1956-57, 1957-58.
  7. Copy of pahani for the year 1969-70, 1987-88, 1991-92, 1992-93, 1994-95, 1998-99, 2001-02, 2004-05, 2009-10, 2017-18.
  8. Copy of Voters list of 1970.
- On verification of above documents and also as per scrutiny committee report, the land holding details are not tallied with family tree – thus he failed to produce any documentary evidences to prove his continuous residence of his family/forefathers in Agency villages since 1950.

6. In the reference 5<sup>th</sup> read above, the Appellant filed Appeal petition before the Government and stated that both the Scrutiny Committee headed by the Project Officer, ITDA, Utnoor and the District Collector, Kumuram Bheem Asifabad did not consider his documentary evidences and simply rejected his case on the ground that the family tree and holdings particulars not tallied. Therefore, he has submitted the following documents before the Government in support of his claim that he belongs to the Agency Area Local ST of the erstwhile Adilabad District.

1. Family Tree

- Dhamu is great grandfather and he has three sons namely 1) Bhikku 2) Shyama and 3) Bhamla (grandfather).
- Grandfather Bhamla has six sons namely 1) Fakira 2) Ramchand 3) Thavurya 4) Sarya 5) Dhumda and 6) Seetharam (father of appellant).

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- Seetharam (father of appellant) has one daughter and two sons namely 1) Chawan Valibai (daughter) 2) Mothilal (son) and 3) Chawan Dinesh (appellant herein). This family tree is Notarized by Sri GL Gupta, Notary & Advocate, Utnoor.
- 2. Translated copy of 1357 Fasli (year 1947) – Pulimadugu village – Taluq: Utnoor – shows name of Bhikku S/o Dhamu (eldest brother of grandfather Bhamla) for an extent of acs.6.39 gts – translated by Rajaram, Ex-Patwari, Village & Mandal: Narnoor, Translator, Modi Marati.
- 3. Teen Sal pahani for the years 1955-56, 1956-57 and 1957-58 – Pulimadugu village – Taluq: Utnoor – name of Bhikku S/o Dhamu (eldest brother of grandfather Bhamla) was recorded for an extent of acs.6.39 gts.
- 4. Old PPB issued in the year 1965 – issued in the name of Ramchand S/o Bhamla (elder brother of Seetharam i.e. father of appellant) was recorded for an extent of acs.7.55 gts in Sy.No.7.
- 5. Pahani for the year 1969-70 – shows name of Seetaram (father) for an extent of acs.5.30 gts. issued by Tahsildar, Lingapur Mandal, KB Asifabad District.
- 6. Old PPB issued in the name of Moodu Seetaram S/o Bhamla (father of appellant) on 4.1.1972 – showing an extent of acs.1.20 gts in Sy.No.7 pp (under cultivation).
- 7. Pahani for the year 1987-88 – shows name of Seetaram (father) for an extent of acs.5.00 in Sy.No.7/82 issued by Tahsildar, Lingapur Mandal, KB Asifabad District.
- 8. Pahani for the year 1991-92 – shows name of Seetaram (father) for an extent of acs.5.00 in Sy.No.7/82 and acs.5.00 in Sy.No.7/83 (issued by Tahsildar, Lingapur Mandal, KB Asifabad District).
- 9. Pahani for the year 1992-93 – shows name of Seetaram (father) for an extent of acs.5.00 in Sy.No.7/82 and acs.5.00 in Sy.No.7/83 (issued by Tahsildar, Lingapur Mandal, KB Asifabad District).
- 10. Pahani for the year 1994-95 – shows name of Seetaram (father) for an extent of acs.5.00 in Sy.No.7/82 and acs.5.00 in Sy.No.7/83 (issued by Tahsildar, Lingapur Mandal, KB Asifabad District.).
- 11. Pahani for the year 1998-99 – shows name of Seetaram (father) for an extent of acs.5.00 in Sy.No.7/82 and acs.5.00 in Sy.No.7/83 (issued by Tahsildar, Lingapur Mandal, KB Asifabad District.).
- 12. Pahani for the year 2001-02 – shows name of Seetaram (father) for an extent of acs.5.00 in Khata No.74 – Sy.No.7/83 – issued by Tahsildar, Lingapur Mandal, KB Asifabad District.

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13. Pahani for the year 2004-05 – shows name of Seetaram (father) for an extent of acs.5.00 in Sy.No.7/83 – issued by Tahsildar, Lingapur Mandal, KB Asifabad District.
14. Pahani for the year 2009-2010 – shows name of Seetaram (father) for an extent of acs.5.00 in Sy.No.7/82 and acs.5.00 in Sy.No.7/83 (issued by Tahsildar, Lingapur Mandal, KB Asifabad District.).
15. PPB issued by Mandal Revenue Officer, Sirpur-U Mandal bearing No.160053 – Khata No.74 – in the name of Seetaram S/o Bheemla R/o Mamidipalli village for an extent of acs.5.00 in Sy.No.7/82 and acs.5.00 in Sy.No.7/83.
16. Pahani for the year 1426 (2016 year) – showing name of Sri Seetaram S/o Bheemla (father) for an extent of acs.5.00 in Sy.No.7/83 in Mamidipalli village of Lingapur Mandal, KB Asifabad District.
17. Pahani for the year 1426 (2016 year) – showing name of Sri Seetaram S/o Bheemla (father) for an extent of acs.5.00 in Sy.No.7/82 in Mamidipalli village of Lingapur Mandal, KB Asifabad District.
18. Pahani for the year 2017-18 –shows name of Seetaram (father) for an extent of acs.5.00 in Sy.No.7/82 and acs.5.00 in Sy.No.7/83 (issued by Tahsildar, Lingapur Mandal, KB Asifabad District.).
19. New PPB bearing No.T16090070055 – Khata No.74 – issued by Tahsildar, Lingapur Mandal, KB Asifabad District – showing an extent of acs.5.00 in Sy.No.7/82 and acs.5.00 in Sy.No.7/83 in Mamidipalli village in the name of Moodu Seetaram S/o Bheemla (father).
20. Voter list for the year 1970 – 237 Boath Assembly Constituency – Mamidipalli village – Utnoor Taluq – Block No.1 – Part No.285 – shows name of Moodu Setaram S/o Bhamla at Sl.No.621.
21. Certificate bearing Rc.No.C/306/2016, dt.05.07.2016 issued by Tahsildar, Sirpur-U Mandal – wherein it was certified that Sri Chawan Dinesh S/o Seetharam R/o Piklathanda H/o Mamidipalli Village of Sirpur-U Mandal belongs to ST Lambada and his father Sri Chawan Seetharam S/o Bheemla residing in Piklathanda H/o Mamidipaly village of Sirpur-U Mandal during the period 1977 to till date in notified agency area – as per electoral 1977 – his father Chawan Seetaram S/o Bheemla name enrolled at Sl.No.101 under H.No.1-16E Part No1.31 of 243 Khanapur Assembly Constituency within Adilabad Parliamentary Constituency.
22. Community and Date of Birth Certificate dt.11.07.2017 issued by Tahsildar, Lingapur Mandal – wherein it was certified that Sri Chawan Dinesh S/o Chawan Seetharam of Mamidipalle village of Lingapur Mandal of Kumuram Bheem Asifabad District belongs to

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Lambadis-28 (ST) and his DoB is 25.5.1993 as entered in the School records where he studied.

23. Migration Certificate bearing Rc.No.C/70/2019, dt.23.01.2019 issued by Tahsildar, Utnoor Mandal – wherein it was certified that Sri Chawan Dinesh S/o Seetharam presently residing at Mamidipally village of Lingapur Mandal of Adilabad District, previously his forefather namely Sri Bikku S/o Damu resided at Pulimadugu village of Utnoor Mandal from 1950 to 1960 and his name enrolled in Fasli 1357 and Trishala Pahani for the year 1955-56, 1956-57, 1957-58 as pattedar – after – their family migrated to Mamidipally village of Lingapur Mandal of Asifabad District.
24. Resolution by Sarpanch, GP Piklatanda, Mdl: Lingapur, District: KB Asifabad – Sri Chawan Seetaram and his father Bhamla residing in Piklathanda of Mamidipalli village from 1959 doing cultivation in Sy.Nos.7/82 and 7/83 (in the extent of 10 acres). Sri Chawan Seetaram S/o Bhamla has two sons and one daughter namely 1) Mothilal 2) Dinesh and 3) Valibai and all are living in Mamdipalli Piklathanda village of Lingapur Mandal – and hence, eligible for obtaining Agency Certificate.
25. Resolution by Sarpanch, GP Pulimadugu, Mandal: Utnoor – states that Chawan Bhikku, Chawan Syama and Chawan Bhamla sons of Dhamu residing in Pulimadugu village from 1950 to 1958 – all these three are own brothers doing agriculture in Sy.No.32/2 in 5.00 acres of patta land. Sri Chawan Bhamla S/o Dhamu migrated to Mamidipalli (Piklathanda).
26. Sworn-in Affidavit dt.27.6.2021 – by Mood @ Chawan Seetharam i.e. father of appellant – that his surname is in his Aadhar Card No.6341 0173 8867 as “Mood” but in family tree is stated as Chawan which are one and the same and belongs to him only and being called in both the surnames.

7. The Appellant further stated that the land records issued by the concerned revenue, resolutions passed by the Gram Panchayats i.e. Pulimadugu and Piklathanda amply establish the relation in the family tree that his great grandfather Sri Dhamu is having three sons namely 1) Bhikku 2) Shyama and 3) Bhamla (his grandfather) are the continuous residents of agency villages of Pulimadugu (erstwhile Utnoor Taluq) and the present Piklathanda H/o Mamidipalli (in Lingapur Mandal) in the present KB Asifabad District. His great grandfather Sri Dhamu is having three sons namely 1) Bhikku 2) Shyama and 3) Bhamla (his grandfather) and their continuous residence in the agency villages of Pulimadugu of erstwhile Utnoor Taluq and the present Piklathanda H/o Mamidipalli villages of Lingapur Mandal in the present KB Asifabad District. Hence, requested to consider his Appeal.

8. Vide reference 6<sup>th</sup> read above, the District Collector, Kumuram Bheem Asifabad has been requested to submit connected records pertaining to the case along with para-wise remarks.

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9. Vide reference 8<sup>th</sup> read above the District Collector, Kumuram Bheem Asifabad has submitted the connected documents of the case along with Remarks/findings.

10. Vide reference 9<sup>th</sup> read above, a Notice has been issued to the Appellant to attend for hearing on 26.06.2021 before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant Chawan Dinesh present and prayed to allow his Appeal petition in the light of evidences and facts in his Appeal petition. Prayed time for submission of Affidavit regarding difference in the surname. Affidavit submitted on 28.6.2021.

11. As seen from the documents submitted by the Appellant with reference to the record of District Collector, Kumuram Bheem Asifabad District, the submission of the Appellant are found establishing his claim that he is a local ST of the agency area of Kumuram Bheem Asifabad District.

12. Government after careful examination of the documents submitted by the Appellant along with the appeal petition and the record of District Collector, Kumuram Bheem Asifabad and also in the light of the Interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh in interim orders passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018 dated 14.09.2018, it is found establishing his claim that he is a local ST of the agency area of Kumuram Bheem Asifabad District.

13. In the instant case, there is no complaint made against the Appellant Chawan Dinesh S/o Seetaram R/o Piklathanda of Lingapur Mandal. The documentary evidences produced also establish that the appellant and his fore-fathers are the continuous residents of agency villages Pulimadugu and Piklathanda from before 1950.

14. Therefore, the cancellation orders issued by the District Collector, Kumuram Bheem Asifabad in Procs.No.C2/642/2019 & e-Office Rc.No.C2/335/0002/2021, dt.01.03.2021 of Dist. Collector, Kumram Bheem Asifabad District are hereby set-aside and the Appeal filed by Chawan Dinesh S/o Seetaram R/o Piklathanda GP (Mamidipalli) of Lingapur Mandal, Kumuram Bheem Asifabad District is allowed declaring him as local ST of Piklathanda (Mamidipalli) of Kumuram Bheem Asifabad District. The Certificate bearing Rc.No.C/306/2016, dt.5.7.2016 is also treated as valid.

15. The District Collector, Kumuram Bheem Asifabad shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr.CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To

1. The District Collector, Kumuram Bheem Asifabad District.
2. Chawan Dinesh S/o Seetaram R/o Piklathanda GP (Mamidipalli), Lingapur Mandal, Kumuram Bheem Asifabad District

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Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
2. The Project Officer, ITDA Utnoor, Adilabad District (for information & necessary action)
3. The District Forest Officer, Adilabad (for information & necessary action)
4. The District Forest Officer, Kumuram Bheem Asifabad (for information & necessary action)
5. The PS to Hon'ble Minister for ST Welfare for information.
6. The PS to Secretary (TW)
7. The PS to Special Secretary (TW)
8. SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**